

BAILEY & OROZCO, LLC

ATTORNEYS AT LAW

HOWARD W. BAILEY

MICHAEL A. OROZCO

THE NATIONAL NEWARK BUILDING
744 BROAD STREET, SUITE 1901, NEWARK, N.J. 07102

PHONE: 973-693-4408
FAX: 973-735-2719

WEB: WWW.NJ-CRIMINALDEFENSE.COM
WWW.BOLEGAL.COM

MATTHEW BRYANT, *OF COUNSEL
*MEMBER OF NEW YORK BAR

November 19, 2009

Via First Class Mail and Facsimile 318-676-3179

Northern District of Illinois

United States Courthouse

Attn: Honorable Donald Walter Chambers

300 Fannin Street

Shreveport, Louisiana 71101

Re: United States v. Harold Turner
Docket No: 09-cr-650

Dear Judge:

As Your Honor is aware, both sides have applied to the court for a continuance in the matter based upon concerns in preparation for trial. On Monday, my office received nearly 900 pages of new discovery from the prosecution which my office has not fully reviewed. Additionally, another 32 pages were produced today which greatly substantiate my client's claims, affirmative defenses, and overall defense which again, have not been fully reviewed. These documents, which I do not fault the prosecution for disclosing at such a late date, are more than relevant and pertinent to Mr. Turner's matter and must be fully reviewed and compared to prior submissions before trial. Otherwise, respectfully, Your Honor will only be depriving my client of his Constitutional rights to due process and effective assistance of counsel. *See United States v. Santos*, 201 F.3d 953 (7th Cir. 2000). The prosecution was already granted a continuance, and this is the first time that the defendant is requesting same.

Counsel for both the Government and the Defendant have conferred before today's conference and have determined that the beginning of March is an acceptable date. This will allow for other counsel to attend to other matters which have already been continued for quite some time, in addition to allowing defense counsel to properly examine and analyze recently released discovery. Moreover, with additional documents to be provided pursuant to the Government's disclosures from the hearing on Monday, November 16, to require the defendant to proceed would almost assuredly result in the defendant being granted a reversal on appeal should he be convicted. Based upon the foregoing, and after consultation with the Government, defense counsel and the Government are requesting a continuance.

Very Truly Yours,

A handwritten signature in black ink, appearing to be 'MAO' with a long horizontal stroke extending to the right.

Michael A. Orozco

MAO/mao

Cc: William.hogan@usdoj.gov
William.ridgway@usdoj.gov
nsanan@aol.com
Melanie.Wise@lawd.uscourts.gov